

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL 2327

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THIS DOCUMENT RELATES TO THE  
CASE IN EXHIBIT A ATTACHED HERETO

**INACTIVE DOCKET ORDER**

The Court has been advised by counsel that in the case listed on the attached Exhibit A, the plaintiff and Ethicon, Inc.<sup>1</sup> ("Ethicon") have agreed to a settlement model with regard to Ethicon. The Court, therefore, finds it unnecessary to conduct further proceedings or to keep this case on the active docket. Accordingly, the Court **ORDERS** as follows:

1. All discovery deadlines are continued until further order of the Court.
2. That the Clerk place the case(s) listed on the attached Exhibit(s) on the pending inactive docket.
3. Plaintiff and Ethicon may submit an agreed order of dismissal with prejudice on or before August 31, 2018; if settlements are not finalized and dismissal orders are not submitted by August 31, 2018 then the Court will have a hearing to determine the appropriate action pertaining to any remaining cases on the inactive docket.

Counsel for plaintiff and defendant(s) are directed to provide quarterly reports as to their progress in dismissing cases on the inactive docket. The Court is aware that counsel have agreed

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<sup>1</sup> Ethicon, Inc. includes any incorrect or incomplete spellings of this Defendant, and any Ethicon, Inc. entities.

to a settlement model for a group of cases and claims, including the case on Exhibit A. The Court will reinstate the case on the attached Exhibit A to the active docket if one of the parties, on motion, shows good cause for such reinstatement. Good cause includes, but is not limited to, a plaintiff's refusal or inability to consummate settlement. Such motion must be accompanied by an affidavit from plaintiff explaining such refusal or inability.

The Court **DIRECTS** the Clerk to file a copy of this order in MDL No. 2327 and in the case listed on the attached Exhibit A. The Clerk is further **DIRECTED** to send a copy of this Order to counsel of record and any unrepresented party. The Clerk is further **DIRECTED** to link this Order to the Proposed Inactive Docket Order filed at ECF No. 6039.



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

## EXHIBIT A

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-05231	Galford (Davis) v Ethicon, Inc. et al
2:13-cv-14355	Garcia v Ethicon, Inc. et al
2:13-cv-25339	Nancarvis v Ethicon, Inc. et al
2:14-cv-07163	Macandrea v Ethicon, Inc. et al
2:14-CV-07191	Pope v Ethicon, Inc. et al
2:14-cv-10884	Davis v Ethicon, Inc. et al
2:14-cv-19004	McDaniel v Ethicon, Inc. et al
2:14-CV-23939	Bailey v Ethicon, Inc. et al
2:15-CV-01373	Clemente v Ethicon, Inc. et al
2:15-cv-05918	Westfall v Ethicon, Inc. et al
2:15-cv-14441	Martin v Ethicon, Inc. et al
2:16-cv-00233	Folkes v Ethicon, Inc. et al
2:16-cv-00236	Gilstrap v Ethicon, Inc. et al
2:16-cv-00238	Kirby v Ethicon, Inc. et al
2:16-cv-03358	Speake v Ethicon, Inc. et al
2:16-cv-05362	Anderson v Ethicon, Inc. et al
2:16-cv-06140	Viramontes v Ethicon, Inc. et al
2:16-cv-06252	Williams v Ethicon, Inc. et al
2:16-cv-06334	Henderson v Ethicon, Inc. et al
2:16-cv-06790	Hart v Ethicon, Inc. et al
2:16-cv-07814	Lindon v Ethicon, Inc. et al
2:16-cv-08248	Mutina v Ethicon, Inc. et al
2:16-cv-08923	Brumit v Ethicon, Inc. et al
2:16-cv-09028	Robinson v Ethicon, Inc. et al
2:16-cv-10161	Brachear v Ethicon, Inc. et al
2:16-cv-10178	Lewis v Ethicon, Inc. et al
2:17-CV-01609	Brooks v Ethicon, Inc. et al
2:17-CV-01610	Diaz v Ethicon, Inc. et al
2:17-CV-01625	Rothenberger v Ethicon, Inc. et al
2:17-CV-01809	Luna v Ethicon, Inc. et al
2:17-CV-01817	Nava v Ethicon, Inc. et al
2:17-CV-01818	Penn v Ethicon, Inc. et al
2:17-CV-01893	Phillips v Ethicon, Inc. et al
2:17-cv-01896	Blake v Ethicon, Inc. et al
2:17-CV-01897	Doddato v Ethicon, Inc. et al

2:17-CV-01898	Duncan v Ethicon, Inc. et al
2:17-CV-01947	Dvorak v Ethicon, Inc. et al
2:17-CV-01948	Elkici v Ethicon, Inc. et al
2:17-CV-01949	Francis v Ethicon, Inc. et al
2:17-CV-01951	Gale v Ethicon, Inc. et al